

# ल प्र

# हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

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19 ग्रक्तू	बर,	1963/27 ग्राश्विन, 1885 को समाप्त होने वाले सप्ताह में निम्नितिख्त विज्ञप्तियां "ग्रमाघारण राज्यत्र, हिमाचल प्रदेश	' में प्रकाशित हुई

विज्ञप्ति की संख्या ' विभाग का नाम विषय

No. 1-4/63-LSG, dated	Local Self Government	The Himachal Pradesh Small Town/Municipal Committee Servants (Punish-
23rd September, 1963.	Department	ment, Removal, Suspension and Appeal) Rules, 1963.
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No. 1-26/63-VS., dated	Vidhan Sabha Secretariat	The Salaries and Anowaness of White Landering Agency by
of 16th October, 1963.		No. 1 of 1963) as introduced in the Legislative Assembly.
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1		introduced in the Legislative Assembly.
		The Salaries and Allowances of Members of the Legislative Assembly
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. 1		
2 "		Legislative Assembly.
NI 1 1/62 VC doted	-do-	Election of Shri Tapindra Singh as Deputy Speaker of the Himachal Pradesh
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-do-	-00-	(Determination of Account) Bill, 1963 (Bill No. 5 of 1963) as introduced in
- t		(Determination of Accounty Bin, 1995)
!		the Legislative Assembly.

भाग 1 - वैधानिक नियमों की छोड़ कर हिमाचल प्रदेश के उप-राज्यपाल और जुडिशल कमिरनरज कोर्ट द्वारा अधिमुचनाएं इत्यादि

# GOVERNMENT OF HIMACHAL PRADESH

APPOINTMENT DEPARTMENT NOTIFICATION

Simla-4, the 8th October, 1963

No. 3-3/60-Apptt.-Shri P. K. Mattoo, Deputy Commissioner, Chamba, having proceeded on training Orientation Courses at NICD, Mussorie with effect from the forenoon of the 1st October, 1963, the Administrator

(Lieutenant Governor), Himachal Pradesh, is pleased to order that Shri Jit Ram, Revenue Assistant, Chamba will hold full charge of the post of Deputy Commissioner, Chamba, in addition to his own duties, during the absence on training of Shri P. K. Mattoo.

The above is purely a temporary and local arrangement and will involve no supersessions.

T. S. NEGI. Chief Secretary.

95-Gaz.-19-10-63-363.

Price: 63 n.P

#### VIDHAN SABHA SECRETARIAT NOTIFICATION

Simla-4, the 10th October, 1963

No. 1-15/63-VS.—In exercise of the powers conferred on him vide Rule 11 of the Rules of Procedure and Conduct of Business the Speaker has nominated the following panel of Presiding Members:-

Shri Tapindra Singh. Shri Padam Dev.

Shri Gopi Ram.

Shri Gian Singh Negi.

SURENDRANATH, Secretary.

# भाग 2-वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यत्तों और जिला मैजिस्ट्रेटों द्वारा अधिस्चनाएं इत्यादि

शुन्य

# भाग 3-अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उप-राज्यपाल, जुडिशल कमिश्नरज कोर्ट, फाइनेन्शल कमिश्नर तथा कमिश्नर त्राफ इन्कम-टैक्स द्वारा अधिसचित आदेश इत्यादि

## VIDHAN SABHA SECRETARIAT NOTIFICATION

Simla-4, the 10th October, 1963

No. 1-17/63-VS.—In exercise of the powers conferred by Rule 308 of the Rules of Procedure and Conduct of

Business of Himachal Legislative Assembly, the Speaker is pleased to make the rules appended to this notification for governing the method of election by single transferable

> By order, SURENDRANATH,

Secretary.

#### REGULATIONS REGARDING THE METHOD OF **ELECTION BY SINGLE TRANSFERABLE VOTE**

- In these regulations:-
- (a) "Continuing candidate" means a candidate not elected or not excluded from the poll at any
- given time;
  (b) "exhausted paper" means a ballot paper on which no further preference is recorded for a continuing candidate; provided that a paper shall also be deemed to be exhausted if,

(i) the names of two or more candidates, whether continuing or not, are marked with the same figures and are next in order of preference, or

(ii) the name of the candidate next in order of preference, whether continuing or not, is marked:-(a) by a figure not following consecutively after

some other figure on the ballot paper, or

(b) by two or more figures; 'first preference' means (c) "first means the candidate against

whose name the figure 1 appears on a ballot "second preference" paper; the candidate whose name the figure 2 appears; against "third preference" the candidate

whose name the figure 3 appears, and so on; vote" in regard to any candidate means the vote derived from a ballot paper on which a first preference is recorded for such

candidate;

(e) "quota" means the lowest value of votes sufficient to secure the turn of a candidate; the

(f) "Secretary" means the Secretary of the Assembly and includes any person performing the duties of the Secretary;

(g) "surplus" means the number by which value of the votes of any candidate, original and transferred, exceeds the quota;

(h) "transferred vote" in regard to any candidate means a vote which is derived from a ballot paper on which a second or subsequent pre-ference is recorded for such candidate and the value or part of the value of which is credited to such candidate;

(i) "unexhausted paper" means a ballot paper on which a further preference is recorded for a continuing candidate.

- 2. (1) The Speaker shall fix dates and times for; (i) receipts of nomination papers of candidates for election, (ii) scrutiny of nomination papers, (iii) withdrawal of candidature, and (iv) holding of election, if necessary, and the Secretary shall communicate the dates and times so fixed to each member of the Assembly
- (2) Nominations shall be in writing addressed to the Secretary. Nomination papers shall be delivered to the Secretary, or sent to him by registered post. Nomination papers which are received by the Secretary after the time fixed for receipt of such papers shall be rejected.
- (3) Every nomination paper shall be subscribed by two members of the Assembly as proposer and seconder and shall state that the proposer has ascertained that the candidate shall serve on the Committee or the body for which he is nominated. No candidate shall sign as proposer or seconder a nomination paper on which his own name appears, nor shall any one member propose or second a number of candidates in excess of the number of vacancies.
- (4) The Secretary shall at the time fixed for scrutiny of nominations examine the nomination papers in the presence of such members as may be in attendance, and shall reject all nominations which have not been duly made. If any dispute arises as to the validity of a nomination, the question shall be referred to the Speaker whose decision shall be final.
- As soon as may be after the scrutiny of nomination papers the Secretary shall make a return to the Speaker showing the names of the candidates who have been duly The names of such candidates shall announced by the Speaker to the Assembly or shall be communicated to the members, and on such announcement or communication being made, it shall be permissible for any nominee, by statement made before the Assembly or by writing to the Secretary within the time prescribed to withdraw his name from election.
- If the number of candidates who have been duly nominated, less withdrawals, if any, under regulation 3, is less than the number of vacancies to be filled, the Speaker shall call for further nominations in the manner prescribed in regulation 2.
- If the number of nominations received on the original date, or on such further date (if any) as may be fixed, less withdrawals, if any, under regulation 3, is equal to the number of vacancies to be filled, the Speaker shall declare the candidates so nominated to be duly
- 6. If the number of candidates duly nominated as aforesaid, less withdrawals, if any, under regulation 3 exceeds the number of vacancies, to be filled, an election in the manner prescribed in these reugulations shall be held on the date fixed under regulation 2(1).
- If the Assembly is not sitting at the time, the Speaker may, if he considers it necessary or expedient to do so, allow the election to be held by postal ballot. If this course is adopted, the Secretary shall inform the members, by letter addressed to them and sent under registered cover, of the dates and times fixed under

regulation 2(1) and shall also send to every member a nomination form for the proposed election and an envelope addressed to himself as Returning Officer for the return of the nomination paper. If the number of valid nominations, received within the time prescribed is in excess of the number of seats for which the election is to be held, the Secretary shall send to each member a voting paper an envelope addressed to himself as Returning Officer. The member may record his vote either by handing over the voting paper personally to the Secretary or by sending it to him by post in the envelope enclosed with the voting paper. The voting paper must reach the Secretary within the time fixed for the purpose. Voting papers received later will not be counted. Regulations 14, 15 and 16 shall not apply to such an election.

- 8. The Secretary shall act as Returning Officer and shall, subject to these regulations, do all things necessary for the conduct of the election.
- 9. The Returning Officer shall make a return to the Speaker showing the names of the members who have been duly elected. If the Assembly is sitting at the time the Speaker shall announce the names of such members in the Assembly; if it is not sitting at the time, the Secretary shall communicate the names of such members to every member of the Assembly.
- 10. The Secretary shall place the nomination and the ballot papers in a sealed packet which shall be preserved for a period of one year.
- 11. The voting shall be by ballot. Every ballot paper shall contain the names of all the candidates, duly nominated for election printed in alphabetical order in the form attached to these regulations.
- 12. The Returning Officer shall maintain a list of the members of the Assembly and shall give to each member a serial number in the list.
- 13. Each member shall vote in person and no vote by proxy shall be permitted.
- 14. When a member presents himself to vote, the Returning Officer shall enter the serial number opposite his name in the list maintained under regulation 12 on the counterfoil of a ballot paper. He shall then detach the ballot paper from the counterfoil and shall hand it to the member. He shall at the same time make a mark against the member's name in the aforesaid list. This mark will indicate that the member has received a ballot paper but must not show the number of the ballot paper which he has received.
  - 15. When the member has received a ballot paper, he shall take it to a place screened from observation which shall be provided for the purpose, and shall there signify in the manner provided by regulation 17 for whom he desires to vote. The member shall then fold the ballot paper and shall drop it in the ballot box placed in front of the Returning Officer.
  - 16. If a member inadvertently spoils a ballot paper, he may return it to the Returning Officer, who shall, if satisfied of such inadvertence, give him another paper and retain the spoiled paper, and this spoiled paper shall be immediately cancelled and the fact of such cancellation shall be noted upon the counterfoil.
  - 17. Every member shall have one vote only. A member in giving his vote:—
    - (a) must place on his ballot paper the figure 1 in the square opposite the name of the candidates in the order of his preference.
    - 18. A ballot paper shall be invalid:-
    - (a) upon which a member signs his name or writes any word, or makes any mark by which it becomes recognizable; or
    - (h) which is not on the form provided by the Returning Officer; or
    - (c) on which the figure 1 is not marked; or
    - (d) on which the figure 1 is set opposite the name of more than one candidate: or
    - (e) on which the figure I and some other figures are set opposite the name of the same candidate; or
    - (f) which is unmarked or void for uncertainty.

- 19. The Returning Officer shall in carrying out these regulations:
  - (a) disregard all fractions;
  - (b) ignore all preferences recorded for candidates already elected or excluded from the poll.
- 20. As soon as may be after the time fixed for the recording of votes the Returning Officer shall examine the ballot papers, and after rejecting any invalid ballot papers shall divide the remaining papers into parce! according to the first preferences recorded for each candidate. He shall then count the number of papers in each parcel.
- 21. For the purpose of facilitating the processes prescribed by these regulations each ballot paper shall be deemed to be of the value of one hundred.
- 22. The Returning Officer shall then add together the values of the papers in all the parcels and divide the total by a number exceeding by one the number of vacancies to be filled, and add one to the quotient. The number thus obtained is the number sufficient to secure the return of a candidate, and is herein called the "quota".
- 23. If at any time under these regulations a number of candidates equal to the number of persons to be eleated has obtained the quota such candidates shall be treated as elected and no further proceedings shall be taken.
- 24. (1) Every candidate the value of whose parcel, on the first preferences being counted, is equal to or greater than the quota shall be declared elected.
- (2) If the value of the papers in any such parcel is equal to the quota, the paper shall be set aside as finally dealt with.
- (3) If the value of the papers in any such parcel is greater than the quota, the surplus shall be transferred to the continuing candidates indicated on the ballot papers as next in the order of the voters preference, in the manner prescribed in the following regulation.
- 25. (1) If and whenever as the results of any operation prescribed by these regulations a candidate has any surplus, that surplus shall be transferred in accordance with the provisions of this regulation.
- (2) If more than one candidate has a surplus, the largest surplus shall be dealt with first and the others in order of magnitude provided that every surplus arising on the first count of votes shall be dealt with before these arising on the second count, and soon.
- (3) Where two or more surplus are equal, the Returning Officer shall decide according to the terms of regulations 30 which shall be first dealt with.
- (4) (a) If the surplus of any candidate to be transferred arise from original votes only, the Returning Officer shall examine all the papers in the parcel belonging to the candidate whose surplus is to be transferred and divide the unexhausted papers into sub-parcels according to the next preferences recorded there on. He shall also make a separate sub-parcel of the exhausted papers.
- (b) He shall ascertain the value of the papers in each sub-parcel and of all the unexhausted papers.
- (c) If the value of unexhausted papers is equal to or less than the surplus, he shall transfer all the unexhausted papers at the value at which they were received by the candidate whose surplus is being transferred.
- (d) If the value of unexhausted papers is greater than the surplus, he shall transfer the sub-parcels of unexhusted papers and the value at which each paper shall be transferred shall be ascertained by dividing the surplus by the total number of unexhausted paper.
- (5) If the surplus of any candidate to be transferred arises from transferred as well as original votes, the Returning Officer shall re-examine all the papers in the sub-parcel last transferred to the candidate and divide the unexhausted papers into sub-parcels according to the next preferences recorded thereon. He shall there upon deal with the sub-parcels in the same manner as is provided in the case of sub-parcels referred to in the last preceding sub-section.
  - (6) The papers transferred to each candidate shall be

added in the form of a sub-parcel to the papers already belonging to such candidate.

- (7) All papers in the parcel or sub-parcels of an elected candidate not transferred under this regulation shall be set aside as finally dealt with.
- (1) If after all surpluses have been transferred, as hereinbefore directed less than the number of candidates required has been elected the Returning Officer shall exclude from the poll the candidate lowest on the poll and shall distribute his unexhausted papers among the continuing candidates according to the next preferences recorded thereon. Any exhausted paper shall be set aside as finally dealth with.
- (2) The papers containing original votes of an excluded candidate shall first be transferred, transfer value of each paper being one hundred.
- (3) The papers containing transferred votes of an excluded candidate shall then be transferred in the order of the transfers in which and at the value which he obtained them.
- (4) Each of such transfers shall be deemed to be a separate transfer.
- (5) The process directed by this regulation shall be repeated on the successive exclusions one after another of the candidate lowest on the poll until the last vacancy is filled either by the election of a candidate with the quota or as hereinafter provided.
- 27. If as the result of a transfer of papers under these regulations the value of the votes obtained by a candidate is equal to or greater than the quota, the transfer then proceding shall be completed, but no further papers shall be transferred to him.
- 28. (1) If after the completion of any transfer under these regulations the value of the votes of any candidate shall be equal to or greater than the quota he shall be declared elected.
- (2) If the value of the votes of any such candidates shall be equal to the quota, the whole of the papers on which such votes are recorded shall be set aside as finally dealt with.
  - (3) If the value of the votes of any such candidates

shall be greater than the quota his surplus shall thereupon be distributed in the manner hereinbefore provided before the exclusion of any other candidate.

- (1) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the continuing candidates shall be declared elected.
- (2) When only one vacancy remains unfilled and the value of the votes of some one continuing candidate exceeds the total value of all the votes of the other continuing candidates, together with any surplus not transferred that candidate shall be declared elected.
- (3) When only one vacany remains unfilled and there are only two continuing candidates and those two candidates have each the same value of votes and no surplus remains capable of transfer, one candidate shall be declared excluded under the next succeeding regulation and the other declared elected.
- If when there is more than one surplus to distribute two or more surpluses are equal or if at any time it becomes necessary to exclude a candidate and two or more candidates have the same value of votes and are lowest on the poll regard shall be had to the original votes of each candidate, and the candidates for whom fewest original votes are recorded shall have his surplus first distributed or shall be first excluded, as the case may be. If the values of their original votes are equal the Returning Officer shall decide by lot which candidate shall have his surplus distributed or be excluded.

FORM I (See Regulation 11)

Counterfoil number		Order of preference										Name								of Candi- dates															
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## भाग 4—स्थानीय स्वायत्त शासनः म्युनिसिपल बोर्ड, डिस्ट्रिक्ट वोर्ड, नोटीफाइड ख्रौर टाउन एरिया तथा पंचायत विभाग THE BAR COUNCIL OF PUNJAB CHANDIGARH

## NOTIFICATION

Chandigarh, the 9th October, 1963

- No. 4 Adv/Rules.-It is hereby notified for the information of all concerned that under the rules made under section 28(2)(a) read with section 17(1)(a) of the Advocates Act, 1961, as published with Notification No. 1-Adv/ Rules, dated the 3rd January, 1963, the Bar Council of Punjab have extended the time for receipt of intimations under section 17(1)(a) of the Act upto 31st October, 1963. The time for receipt of such intimations was last extended utpo 31st July, 1963 in Bar Council of Punjab Notification No. 3-Adv/Rules, dated the 5th June, 1963.
- All persons who were entered as Advocates on the roll of any High Court under the Indian Bar Councils, Act, 1926 immediately before the appointed day, i.e., 1st December, 1961, and have not so far sent their intimation in the prescribed form to this Bar Council but who want to practise within the jurisdiction of the Bar Council of Punjab are requested in their own interest to express their intention to do so in the form prescribed, so as to reach this Bar Council not later than the 31st October, 1963.

By order of the Chairman,

## RANJIT RAL Secretary.

## LOCAL SELF GOVERNMENT DEPARTMENT NOTIFICATIONS

Simla-4, the 14th October, 1963 No. 1-3/63/LSG.—In exercise of the powers conferred by section 240 of the Punjab Municipal Act, 1911 and section 51 of the Punjab Small Towns Act, 1921 as applied to Himachal Pradesh the Administrator (Lieutenant Governor) in supersession of the rules contained in this Department notification No. LR. 88-48/54, dated the 12th August, 1955 is pleased to make the following rules to govern the age of compulsory retirement of the employees of the Municipal Committees and Small Towns Committees of the Himachal Pradesh after having published them in the Rajpatra, dated the 1st June, 1963. The Rules will come into force at once.

- The age of compulsory retirement of all Municipal and Small Towns Committee employees in Himachal Pradesh shall be 58 years subject to the exception that the employees who were on leave preparatory to retirement on the 1st December, 1962 will not be entitled to the benefit of the increased age of compulsory retirement unless they are permitted to resume duty after the appointing authority is satisfied that they are efficient and physically fit.
- Persons on extension of service on the date of issue of these orders may be allowed to continue in service upto the age of 58 years.
- Scientific and technical personnel may be given extension of service beyond the age of 58 years subject to their fitness and suitability for work.
- Notwithstanding anything contained in the foregoing rules, the Municipal and Small Towns Committees may require their servants to retire after they attain the age of 55 years on three months' notice without assigning any The committee servants also may after attaining the age of 55 years voluntarily retire after giving three months notice to the appointing authority.

Simla-4, the 14th October, 1963

No. 11-7/62-LSG.—Whereas proposal for the inclusion

with immediate effect.

of the areas specified in the schedule given below, within the limits of the Municipality of Mandi was published

for inviting objections, in the Rajpatra, Himachal Pradesh, dated the 30th June, 1963/9th Asadha, 1885, vide this Department notification of even number, dated the 18th

June, 1962; and whereas no objection has been received

within the prescribed period: Now, therefore, in exercise of the powers conferred by

sub-section (3) of the section 5 of the Punjab Municipal Act, 1911, as applied to Himachal Pradesh, the Administrator (Lieutenant Governor), Himachal Pradesh, is pleased to include the areas specified in the Schedule

hereunder within the limits of the Municipality of Mandi,

SCHEDULE

(i) From Bhangauli Nullah towards South-Hadbast

No. 85, containing Khasra Nos. 139 (Magzine), 133 and 125 (House of Shri Amar Singh etc.) (li) From the house of Shri Amar Singh towards Tuambla Nullah, Hadbast No. 85 alongwith the bank of Nullah upto the junction of Nullah and

Sakodhi Khud. Then across the Sakodhi Khud upto the outer boundary of Khasra No. 90, and North-East including joining the old boundary at the junction of Sakodhi Khud and Buinsu-ka-Nullah. By order,

APPLICATION No. 612 of 1962 In the matter of Shri Basantu S/o Chaun, caste Koli of

Sarvshri Dalip Singh, Rup Singh, Sher Singh, Sada Nand Ss/o Mohi Ram, caste Rajput of village Mandera

for the acquisition of proprietary rights of land.

Application under section 11 of Act No. XV of 1954

Shri Rup Singh S/o Mohi Ram Rajput, of village

Whereas it has been proved to the satisfaction of this

D. B. LAL. Secretary.

(Landowners).

भाग 5 —वेयक्तिक अधिमुचनाएं और विज्ञापन BEFORE SHRI SURRENDER PAL, COMPENSATION BEFORE SHRI SURRENDER PAL, COMPENSATION OFFICER, SIRMUR DISTRICT AT NAHAN OFFICER, SIRMUR DISTRICT AT NAHAN

APPLICATION No. 703 of 1963

In the matter of Shri Ram Rakhu and Khushi Ram Ss/o Kapuria of village Jaindi Kathara of Tehsil Nahan

(Tenants). Versus

Sarvshri Bishan Singh S/o Partap Singh, Siri Ram, Sobha Ram Ss/o Chandan Singh, Budh Ram S/o Hukmi

Ram. Bhola Nand S/o Man Singh, Sas Ram S/o Kesho Ram of village Jaindi Kathara, Tehsil Nahan. Application under section 11 of Act No. XV of 1954

for the acquisition of proprietary rights of land. To Shri Siri Ram S/o Chandan Singh, of village Jaindi

Kathara, Tehsil Nahan. Whereas it has been proved to the satisfaction of this Court that Shri Siri Ram named above can not be served

in ordinary way, therefore, this proclamation under Order V Rule 20 C.P.C. is hereby issued informing the said Shri Siri Ram that he should appear in this court on the 31-10-1963 either in person or through a pleader

duly instructed. In default of appearance the application

will be heard and determined in ex-parte. Given under my hand and the seal, this 24th day of

September, 1963. SURRENDER PAL.

Seal. Compensation Officer.

Given under my hand and the seal, this 24th day of September, 1963.

village Kawaga, Tehsil Pachhad

Mandera Kawaga, Tehsil Pachhad.

Kawaga, Tehsil Pachhad

Court that Shri Rup Singh, named above can not be served in ordinary way, therefore, this proclamation under Order V Rule 20 C.P.C. is hereby issued informing the said Shri Rup Singh that he should appear in this Court on the 31-10-1963 either in person or through a pleader duly

instructed. In default of appearance the application will

be heard and determined in ex-parte.

Seal.

SURRENDER PAL. Compensation Officer.

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

भाग 7-भारतीय निर्वाचन आयोग (Election Commission of India) की देधानिक अधियुचनाएं

तथा अन्य निर्वाचन सम्बन्धी अधिस्चनाए शून्य

**ऋनुपूरक** 

शुन्य

# Late Received

#### PART I

### VIDHAN SABHA SECRETARIAT NOTIFICATIONS

Simla-4, the 18th October, 1963

No. 1-17/63-VS.—In pursuance of Rule 232 of the Rules of Procedure of the Uttar Pradesh Legislative Assembly as adopted for the Legislative Assembly of Himachal Pradesh the following Members have been elected to form the Committee on Estimates for the financial year, 1963-64:-

- Shri Vidya Dhar.
- Shri Piru Ram.
- 3. Shri Kalyan Singh.
- Shri Balwant Singh.
- Shri Chuni Lal. Shri Gyan Singh.
- Shri Padam Dev.
- The Committee will elect its own Chairman from amongst its own Members.

#### Simla-4, the 18th October, 1963

No. 1-17/63-VS.—In pursuance of Rule 230 of the Rules of Procedure of the Uttar Pradesh Legislative Assembly as adopted for the Legislative Assembly of Himachal Pradesh the following Members have been elected to form the Committee on Public Accounts for the financial year, 1963-64:—

- 1. Shri Dhian Singh.
- Shri Kashmir Singh.
- Shri Khazan Singh.
- 4. Shri Rajindra Singh.
- Shri Ram Lal. Shri Sukh Ram.
- Shri Guman Singh.

The Committee will elect its own Chairman from amongst its own Members.

#### Simla-4, the 18th October, 1963

No. 1-1/63-VS.—It is hereby notified for general information, that the Himachal Pradesh Legislative Assembly, after its sitting on the 18th October, 1963, adjourned sine die.

> By order, SURENDRANATH,

> > Secretary.